

App F IX-4

Previous References

ml 126-45 (9, 10)

(1946-47
ml)

File No 80-46

Serial Nos 1-2

Later References

ml 41-46 (35, 38) ↓

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Two

Part B for

Aug 46

SUBJECT

Conversion of the Chellakere Minor Municipality into a town
Municipality from 17 47

22263

28-8-46

Compiler

Notifies the —

from 11 47

8975/2

from the D c chetalding
no A6 c 1916-294/45 27/6/46

425 proposals for the conversion
of the chetalding ~~from~~ man
miff into a ~~Town~~ miff

17) sub to

The previous file was
taken by the D B in connection
with the appointment of a chief
officer at the place it is not
readily available and if approved
this will be submitted after the
previous file is traced

ma 6/7 18) appears 6/7 1916

19) the file has since been
traced and found

20) In this connection, it is
submitted that a notification
was issued ~~and~~ calling for
objection to the proposed conversion
of the chetalding man miff
into a Town miff with effect

8975/L conversion of chellakur muna mlf into
1-1-1947 a Tum mlf

21) The report of the D.C.
shows that a petition objecting
to the conversion has been received
by the D.C. and the grounds on which
those residents object are noted
at paras 1 & 2 of the report of the

22) The D.C. in expressing his
views on the objections raised, as at
paras 3 & 4 of the report, requests
Sanction to convert this muna
mlf into a Tum mlf with effect
from 1-1-47 and to issue a
notification to this effect

23) The D.C.'s recommendation
may perhaps be accepted

24) Submitted for orders with reference
to paras 11, 12 and 16 supra

ma 11/7/46 25) on response to the preliminary
petition calling for objections, one ~~obj~~ petition
objecting to the conversion of the chellakur
Thum mlf a Tum mlf

8975

I received

^x
Sri Lankan
is in force

^x
property

The main grounds of objection are (1) that the no. of members is now about 249 and the rules would fit reduced to about 500 and the sum on election rules and (2) that the income under House law is not more than Rs 10000.

26) As against point no (1), the D.C. points out that this is a fact but adds that the ^{elect} no. of ML members will be increased from 10 to 15 other than will be a greater representation of the people in the Council. As regards point no (2), it is seen that it is not only the House law that is taken into consideration but also the survey of income for each of the last four years it is seen that the income is more than Rs 10000 in the ML.

27) The D.C. adds that the Contending of the petitioners are untenable & that, for the point of view of both income & population, Chellakere might be converted into a Municipality - vide also the notes at paras 8 to 12 supra.

28) In the cases reported it is for order if the D.C. is recommended to convert Chellakere into a Municipality with effect from 1/1/49 maybe sanctioned - Ref to para 12 & 16 supra.

Reverse of case
12/11/48

1978

in view of challenge made against a Law

28/7/78 there any legal objection

for Govt to approve on the

recommendation of D C who

considers the objection & disposes

them under the rules?

Don

13/7/78

for

337

Law

287

1917

29) under section 7(3) of the T H Act, ~~the section~~

it is up to the govt to decide whether

the objections raised in this behalf are

tenable and untenable subject to reference

to para 28 above

ma

17/7/46 30) In opinion of the Law section my
perhaps the Govt if to dis recommend
could be accepted as against the objects received
referred for
18/7/46

31)

Who has got power under

the Act to consider the

objectionist finally dispose them

of? On this aspect, Law

Section may be consulted

Don

32)

In favour of

19/7/78

for

Don
Law section

19/7/46

357/62

Conversion of Chaltan munici into a town
municip

1126
29/7
53) Under s 7 (2) of the Town Municipalities Act
1933 the Deputy Commissioner has to forward
to Govt every objection to the proposal
to constitute a local area a town municipality
(in response to the proclamation under s 7 (1))
The power to issue a proclamation having
objections and passing final order
leading to the declaration rests with Govt
under s 5 (1) of the said Act

NKH
24/7/46

54) Under sections 5 & 7 of the Town
Municipalities Act it is only the Govt
that has power to consider the objections
& dispose them of finally

27 JULY 1946

Law Secy)

fr
27/7

Law Secy
w/c)

35)

su
29/7

Law
29/7

29/7/46

8975/2 conversion of chellakere minor mlf
to Tmn mlf

36/3a view of the legal opinion furnished as at paras ³⁴⁺³⁵~~54 & 55~~ supra, the point for consideration is whether the objections raised by certain residents of chellakere Tmn against the conversion of this minor mlf to a Tmn mlf are tenable

37) The following are the two objections.

- 1) The number of voters which is now about 2249 under the Minor Municipal Election Rules would be reduced to about 500 under the Tmn ml Election Rules,
- 2) The income under Moha Tarifa is not more than Rs 10,000/-

38) As regards point 2, it is not only the house tax that it is taken into consideration but also other sources of income it is seen from the report of the

Dec that the income for the last four years, is more than Rs 10,000 in the mill. Hence, there is not a valid objection ~~and~~

39/ As regards item 1, the D.C. says that this is a fact - but adds that the number of elected municipal members will be increased from 10 to 15 and that there will be adequate representation of the people in the council. The D.C., therefore, adds that the sentiments of the petitioners are untenable and from the point of view of both income and population, Chellakumar ~~mill~~ may be converted into a Town mill.

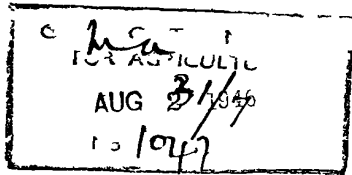
40/ The D.C.'s argument may perhaps be accepted and a final notification issued declaring that the Chellakumar ~~mill~~ be converted into a Town mill with effect from ~~the~~ 1st January.

8975/L conversion of chellakum mania into Tamil -

January, 1947, the date of the next
reconstitution of the ml cl

41/5 sub to with reference to paras

12/11/47 31, ~~33~~ 31, 34, 35 supra



Rev 1997 2/2 317 416

The conversion into a Town
Municipality may be aff'd
as recommended by DC
The objections are not tenable

Minister for Agr)

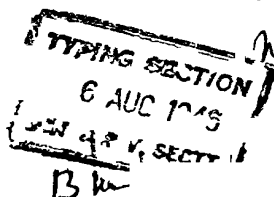
1/8/46
1/8/46

I agree

3/8/46
DPT for ml

for
1/8/46

sub m the 2 with a draft note



5/8/46 To, the compiler
2263 of 8/8/46
whitaker

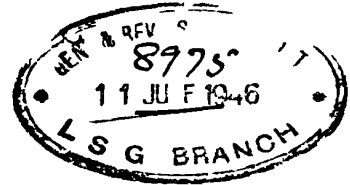
ml 80-46-1
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T l Add — D pcom
CHITALDRUG

In reply please	1 to
N A6 C	1916-294/45-46
E 1	3

Deputy Commissioner,
OFFICE OF THE DISTRICT MAGISTRATE
CHITALDRUG DISTRICT

Dated Chitaldrug 7th June 1946



The Deputy Commissioner,
District Magistrate
Chitaldrug District
Chitaldrug

J B Mallar dhya Esq ,M A ,
Secretary to Government, Revenue Department, Bangalore

Subject, Sanction to the Conversion of Chellakere Minor Municipality
into a town Municipality from 1-7-1947
=====

Sir,

With reference to your memo No L 10230 dated 2-4-1946 forwarding a copy of notification No L 10229 M1 126-45-10 dated 2-4-1946 on the above subject, I have the honour to forward herewith a petition dated 2-5-46 received from some of the residents of the town objecting to the conversion of Chellakere Minor Municipal Council into a town Municipal Council (~~into a town municipality~~) on the following grounds

1) As per Mysore Minor Municipal Act 12232 1933, every person who has completed 21 years of age is entitled to vote, whereas, under the town Municipal election rules, only persons paying a Municipal tax of Rs 2/ or more are entitled to vote As per present Minor Municipal Election Rules 2249 persons are entitled to vote whereas under the town Municipal election rules about 500 persons will be entitled to vote If the town is converted into a town Municipality, a major portion of the persons who have completed 21 years of age will be deprived of their power to vote

2) (2) The income of the Municipality under house tax is very low though the income under octroi, Market fee etc , is gradually increasing

3) In regard to objection No 1 it is a fact that the number of voters as per present electoral roll is 2249 as per minor election rules and the numbers of voters in this Municipality as per town Municipal election rules will be 500 The present strength of Municipal Councillors is only 15 where as the number of councillors

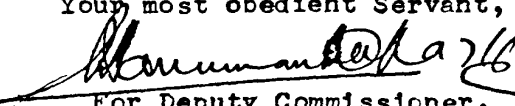
will be 20 after it is converted into a Town Municipality
By the conversion, the representation of the public in the
council will be greater as five more councillors will be
added to its present strength

In regard to objection No 2 that the income under
house tax is small etc , it has to be stated that it is
not ^{on} the account of house tax which has to be considered but
the annual ^{normal} ~~normal~~ income of the Municipality as per Sec 5(1)
of the town Municipal Act The annual normal income of this
Municipality for the past four years is as noted in the
margin and it is seen that it is more than the prescribed
annual normal income for a town Municipality and further it is

Year	Normal income	
1 1941-42,	12,784/	also increasing from year to year The objections raised in the petition are not tenable and these may
2 1942-43,	18,994/	
3 1943-44,	26,355/	
4 1944-45,	28,575/	

be over ruled The two important conditions necessary for
conversion into a town Municipality are satisfied namely that the
population is more than 5000 and the normal income exceeds Rs
10,000/ In these circumstances, I request that sanction of Govt
for the conversion of this Municipality into a town Municipality
may kindly be obtained and a notification issued in the official
Gazette at an early date

I have the honour to be,
Sir,
Your most obedient Servant,


For Deputy Commissioner,
Chitaldrug District
(Absent from the Headquarters)

C M F 1/

7.60

G R S App F G 3

GENERAL AND REVENUE
SECRETARIAT

(Continuation sheet draft form)

2263/M 80-46-2
11 copies
of 8-8-46

Notification

On notice of the pro-
posed in the under
section 5(1) of the
Mysore Town Milities Act,
1933, govt are please
to direct that the
chellakere minor
milly be converted
into a Town milly
with effect from
~~1st July, 1947~~ 1st
January 1948

In for¹³⁰
Rwsey

To,

The compiler, Mysore gazette
for publication in part III.
of the gazette & supply of
25 copies thereof to the

secretariat + 10 copies
to the D & child welfare
Dept

Revised 2264 & 8846

Full copy of the above
is forwarded to the
D & child welfare Dept
with reference to the

letter no A6 & 1916-194/45
& 7-6-46. Immediate necessary action
be taken for the purpose of
records accompanying

130

for
forwarding

